

REMARKS

The Office communication dated February 19, 2008 reopens prosecution in view of the Appeal Brief filed on January 4, 2008. Applicants file this reply under 37 CFR 1.111. Claims 1-51 and 61-89 are pending in the application. No amendments or new claims are being introduced. Applicant believes no new matter is being introduced by way of the following remarks.

Regarding § 103 Rejection

Claims 1-7, 11-16, 18-24, 28-30, 32, 33, 35, 36, 38, 39-41, 43-48, 50, 51, 62, 64, 66, 68, 70, 72, 74-79, and 84-89 stand rejected under 35 U.S.C. 103 (a) as being unpatentable over Primak *et al.* (Pub. No. 2001/0039585), hereinafter “Primak” in view of Leighton *et al.* (USPN 6.553.413), hereinafter “Leighton.” Applicants respectfully traverse the rejections.

Applicant’s claim 1 recites in pertinent part “a central server...provides...a candidate server list of at least two candidate servers to a network node, other than the central server.” Emphasis added.

In stark contrast, a system employing a combination of relevant elements disclosed in Primak and Leighton (hereinafter “Primak-Leighton”), would merely translate a virtual ghost name into a real ghost address. Primak-Leighton low-level DNS (“central server”) makes use of lists for translating the virtual ghost name into the real ghost address, but does not, however, provide a list of candidate translations (“a candidate server list of at least two candidate servers”) to a local-DNS (“a network node, other than the central server”). *See* Leighton, column 11, line 6 - column 12, line 9.

If the Primak-Leighton low-level DNS did provide such a list of candidate translations, then the Primak-Leighton low-level DNS could not account for loads of various servers while translating a virtual ghost name into a real ghost address. *See* Leighton, column 11, line 46- column 12, line 9. Using the example provided by Leighton, “if the priority list for a serial number [(i.e., virtual ghost name)] is 2, 5, 3, 1, 6, then an attempt is made first to try to map the load for the serial number to ghost 2 [(i.e., a first real ghost address)]. If this overloads ghost 2, then the load is assigned to both ghosts 2 [(i.e., the first real ghost address)] and 5 [(i.e., a second real ghost address)]. *Id.* In this way, the Primak-Leighton low-level DNS accounts for the load

while translating the virtual ghost name into the real ghost address. However, if both the first real ghost address and the second real ghost address are provided to a local DNS as proposed, then the local DNS could choose ghost 2 even though this would overload ghost 2. Because the Primak-Leighton low-level DNS provides a translation and not a list of candidate translations the Primak-Leighton low-level DNS is able to account for load while translating a virtual ghost name into a real ghost address.

Changing, the Primak-Leighton combination fails to teach each and every element of Applicant's claim 1 and, were the combination system to provide a list of candidate translations, the combination system would fail for its particular purpose or substantial modification would be required to be made for the combination system. Applicant respectfully submits that the rejection of claim 1 under 35 U.S.C. 103 (a) is improper and should be withdrawn, and again, claim 1 should be allowed.

Independent claims 19, 35, 40, 45, and 47 have similar elements and should be allowed for similar reasons as presented above.

Claims 2-7, 11-16, 18, 20-24, 28-30, 32, 33, 36, 38, 39, 41, 43-44, 46, 48, 50, 51, 62, 64, 66, 68, 70, 72, 74-79, and 84-89 should be allowed for the same reasons as the independent claims from which they depend.

Claims 17, 34, and 80 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Primak in view of Leighton in view of Meek *et al.* (USPN 6,539,426), hereinafter "Meek."

Because claims 17, 34, and 80 depend from the independent claims, the above remarks apply. Therefore, because these claims depend from the independent claims, Applicant respectfully submits they should be allowed for at least the same reasons.

Claims 8-10, 25-27, 37, 42, 49, 73, and 81-83 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Primak in view of Leighton in view of Guenthner *et al.* (USPN 6,134,588), hereinafter "Guenthner."

Because claims 8-10, 25-27, 37, 42, 49, 73, and 81-83 depend from the independent claims, the above remarks apply. Therefore, because these claims depend from the independent claims, which should be allowed under 35 U.S.C. § 103(a) for reasons presented above, Applicant respectfully submits the dependent claims should be allowed for at least the same reasons.

Claims 61, 63, 65, 67, 69, and 71 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Primak in view of Leighton in view of Lin (USPN 6,298,451).

Because claims 61, 63, 65, 67, 69, and 71 depend from the independent claims, the above remarks apply. Therefore, because these claims depend from the independent claims, which should be allowed under 35 U.S.C. § 103(a) for reasons presented above, Applicant respectfully submits they should be allowed for at least the same reasons as the base claims from which they depend.

CONCLUSION

In view of the above amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

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